

Teen claims he raised Johnathan Davis explicit under age image legal issue with Greens

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Exclusive

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The young man whose claim of a sexual relationship with Johnathan Davis contributed to his resignation says he specifically raised with the Greens concerns the former politician had broken the law by soliciting explicit pictures from him.

The young person, now 18, last week met with Greens leader Shane Rattenbury's executive chief of staff and another Greens staffer. He said he provided information about a sexual relationship with Mr Davis while he was 17, and evidence he had sent intimate images at Mr Davis's request.

At this Tuesday, November 7, meeting the man said he told the Greens that Mr Davis had requested the pictures while knowing the young person was under 18.

It is a Commonwealth offence for a person to transmit, access or solicit child abuse material of a child aged under 18.



📷 Greens leader Shane Rattenbury and, inset, former MLA Johnathan Davis.
Pictures by Karleen Minney, Elesä Kurtz

The law defines child abuse material to include depictions of a person under 18 engaged in an offensive sexual pose, or which depicts a sexual organ of a person aged under 18 for a sexual purpose "in a manner which reasonable persons would regard as being, in all the circumstances, offensive".

It is unknown if Mr Davis knew that was an offence. Mr Davis declined, through a lawyer, to comment.

Mr Rattenbury on Monday said the former Greens member told him he believed he had done nothing illegal.

Mr Rattenbury, who is the ACT's Attorney-General, on Monday said the party was aware of the claims intimate images had been shared with Mr Davis by the young person.

"We considered the legislation, certainly ACT law. We were not able to identify any offences, but again, acknowledging the complexity of the matter and particularly the suggestion of the sharing of intimate images, that was another reason we felt it was appropriate and important to report these matters to ACT Policing," he said.

Mr Rattenbury on Tuesday said the material shared with the party by the young person was not clear and "not evidently illegal in nature".

"My office sought advice from CMTEDD in relation to our reporting obligations, including a specific reference to possible explicit images, even though it was not clear that that's what was provided to us," he said in a statement to *The Canberra Times*.

"However, given we are not an investigative authority we took the decision to refer the material to police."

The young person claims Mr Davis asked in January 2023 for naked pictures, at a time Mr Davis knew the young person was underage. Screenshots, seen by *The Canberra Times*, separately show the young person sending Mr Davis an image of a COVID test result, which listed his birth date, and show he was 17 when the pair began a relationship.

The young person was described as "the principle source of intelligence" in an internal party review, released on Monday, about Mr Davis' behaviour.

On another occasion Mr Davis and the young person discussed the young person's age and Mr Davis said he was "cool with it" when the young person confirmed he had been 17 when they met.

Mr Rattenbury's chief of staff wrote in a report he was uncertain whether any illegal activity had occurred.

"This now eighteen-year-old stressed how important it was to him to remain anonymous, that he had exams, and that he did not want the police involved. As I was unclear whether illegal conduct had occurred - relating to the exchanging of possible intimate images involving a person under the age of 18, and unsubstantiated allegations of other relationships with children younger than 16 - I felt obligated to report the information to the police," the report, released publicly by the Greens on Monday, said.

The young person said Mr Davis had been in contact with him via a messaging app as recently as last weekend, but the politician blocked him, removing access to their conversation at some point before 10am on Monday, November 6.

An account of the timeline, released by the Greens, showed Mr Davis was informed of potential allegations at 8.40am on Monday, November 6.

The chief of staff wrote he reported the complaint to police about 10am on Friday, November 10. Police advised the party they needed to provide the details of the young person, who would then be contacted and supported.

The young person said he was contacted twice by police on Friday but has not proceeded with a formal complaint.

It is understood the young person, who had told the Greens he did not wish to have police involved, would not be required to proceed with a criminal complaint, despite the Greens being obliged to refer the information to police.

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The young person was not informed by the Greens his information and identity would be passed to police before it happened. The young person was only provided with contact details of support services by the Greens after the party had referred the allegations to police, a move prompted by the imminent publication of allegations in *The Canberra Times*.

Mr Rattenbury said on Tuesday the party had continually asked the young person what support the party could provide.

"Knowing that this was about to become public and potentially distressing for the individual, we were particularly focused on ensuring they would be supported by providing details of dedicated support services," he said.

The young person has also told *The Canberra Times* he does not want to report his allegations to police.

Police are understood to be unable to proceed with an investigation without a formal complaint from a person claiming to be a victim of Mr Davis.

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